

DOCKET NO.: V0139.70071US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Martha K. Newell  
Serial No.: 10/616,865  
Confirmation No.: 1471  
Filed: July 9, 2003  
For: METHODS AND PRODUCTS RELATED TO  
METABOLIC INTERACTIONS IN DISEASE

Examiner: Not Yet Assigned  
Art Unit: 1636

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 16 day of August, 2005.

  
Helen C. Lockhart

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**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

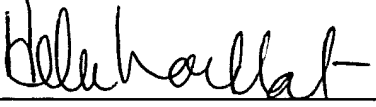
- Information Disclosure Statement
- PTO Form 1449 with cited references
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

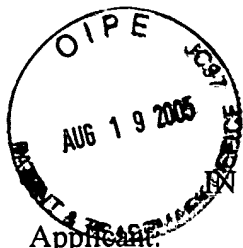
No check is enclosed. If there is a fee associated with this filing, the balance may be charged to Deposit Account 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,  
*Martha Karen Newell, Applicant*

By:

  
Helen C. Lockhart, Ph.D., Reg. No. 39,248  
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Telephone: (617) 646-8000

Docket No.: V0139.70071US00  
Date: August 16, 2005  
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**MAIL STOP AMENDMENT**

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**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

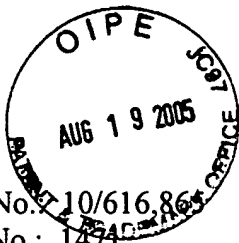
Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.



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Conf. No.: 1474

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## PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

<u>Docket No.</u>	<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>
V0139.70028US00	09/277,575	March 27, 1999	Martha K. Newell
V0139.70059US00	09/599,760	June 22, 2000	Martha K. Newell

The Applicant would like to bring to the Examiner's attention the enclosed search report or other communication from a corresponding International Application.

<u>Docket No.</u>	<u>Serial No.</u>	<u>Mailing Date</u>	<u>Type of Communication(s)</u>
V0139.70028WO00	PCT/US99/06874	12 March 1999	International Search Report
V0139.70028WO00	PCT/US99/06874	22 February 2000	Written Opinion
V0139.70059WO00	PCT/US00/17245	18 December 2000	International Search Report
V0139.70059WO00	PCT/US00/17245	25 September 2001	International Preliminary Examination Report

## PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

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By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

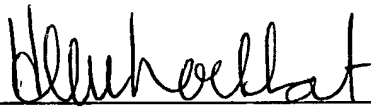
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,  
*Martha K. Newell, Applicant*

By:

  
Helen C. Lockhart, Ph.D., Reg. No. 39,248  
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600 Atlantic Avenue  
Boston, Massachusetts 02210-2206  
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FORM PTO-1449/A and B (Modified) <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				APPLICATION NO.: 10/616,865		ATTY. DOCKET NO.: V0139.70071US00	
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				APPLICANT: Martha K. Newell			
				GROUP ART UNIT: 1636		EXAMINER: Not Yet Assigned	
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#### U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	*A1	4,724,234		Cone, Jr.	02-09-1988
	*A2	4,935,450		Cone, Jr.	06-19-1990
	*A3	5,556,754		Singer et al.	09-17-1996
	*A4	5,585,363		Scanlon et al.	12-17-1996
	*A5	6,133,946		Cavallaro et al.	10-17-2000
	*A6	2003-0150022	A1	Martha et al.	08-07-2003
	*A7	2004/00054291	A1	Rogers et al.	01-08-2004
	*A8	2005/0042224	A1	Newell	02-24-2005
	*A9	2005/0158333	A1	Newell	07-21-2005

#### FOREIGN PATENT DOCUMENTS

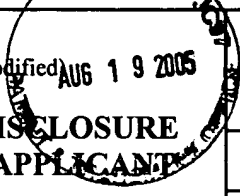
Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
	*B1	WO	98/02579	A1	Emory University	01-22-1998	
	*B2	WO	98/31396	A1	Duke University et al.	07-23-1998	
	*B3	WO	98/45313	A1	Amylin Pharmaceuticals, Inc.	10-15-1998	
	*B4	WO	98/45438	A1	Beth Israel Deaconess Medical Center	10-15-1998	
	*B5	WO	00/47617	A1	Lexicon Genetics, Inc.	08-17-2000	
	*B6	WO	00/78941	A2	University of Vermont and State Agricultural College	12-28-2000	
	*B7	WO	03/031643	A2	Newell et al.	04/17/2003	

#### OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)	
	*C1	AGRAWAL, S. et al. "Antisense therapeutics: is it as simple as complementary base recognition?" <i>Molecular Med. Today</i> , Vol. 6. pp: 72-81, 2000		
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EXAMINER:

DATE CONSIDERED:



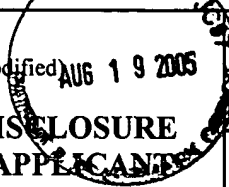
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Sheet	2	of	7
GROUP ART UNIT: 1636		EXAMINER: Not Yet Assigned	

### OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	*C6	BAGGETTO, Deviant energetic metabolism of glycolytic cancer cells. Biochimie. 1992 Nov;74(11):959-74.	
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	*C15	CAMBIER et al., Ia binding ligands and cAMP stimulate nuclear translocation of PKC in B lymphocytes. Nature. 1987 Jun 18-24;327(6123):629-32.	
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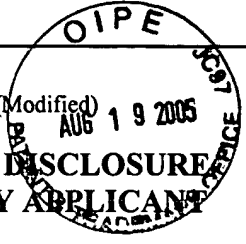
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	*C25	CREECH et al., MHC genes modify systemic autoimmune disease. The role of the I-E locus. J Immunol. 1996 Jan 15;156(2):812-7.	
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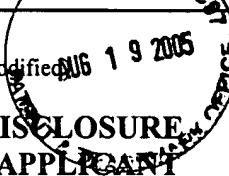
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	*C44	HATEFI et al., Nicotinamide nucleotide transhydrogenase: a model for utilization of substrate binding energy for proton translocation. FASEB J. 1996 Mar;10(4):444-52.	
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EXAMINER:

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Sheet	5	of	7		

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	*C66	MACKANESS et al., The J. Burns Amberson LECTURE The induction and expression of cell-mediated hypersensitivity in the lung. Am Rev Respir Dis. 1971 Dec;104(6):813-28.	
	*C67	MARZO et al., Bax and adenine nucleotide translocator cooperate in the mitochondrial control of apoptosis. Science. 1998 Sep 25;281(5385):2027-31.	
	*C68	MAURICIO et al., Apoptosis and the pathogenesis of IDDM: a question of life and death. Diabetes. 1998 Oct;47(10):1537-43.	
	*C69	MEUER et al., Cellular signalling in T lymphocytes. Immunol Today. 1989 Aug;10(8):S23-5.	
	*C70	MEYER et al., Giant cell myocarditis due to coxsackie B2 virus infection. Cardiology. 1997 May-Jun;88(3):296-9.	
	*C71	MIEZA et al., Selective reduction of V alpha 14+ NK T cells associated with disease development in autoimmune-prone mice. J Immunol. 1996 May 15;156(10):4035-40.	
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<b>FORM PTO-1449/A and B (Modified)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				APPLICATION NO.: 10/616,865		ATTY. DOCKET NO.: V0139.70071US00		
				FILING DATE: July 9, 2003		CONFIRMATION NO.: 1471		
				APPLICANT: Martha K. Newell				
				GROUP ART UNIT: 1636		EXAMINER: Not Yet Assigned		
Sheet	6	of	7					

**OTHER ART — NON PATENT LITERATURE DOCUMENTS**

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 09/277,575 , filed March 27, 1999 , and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

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